Docket No. 1795/55180-A/JPW/ANX

<u>**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**</u>

Applicants   :   Kelli E. Smith and Richard L. Weinshank

U.S. Serial No.:   10/029,436

Filed   :   December 19, 2001

For   :   DNA Encoding A Human Receptor (hp15a) And Uses
                         Thereof

1185 Avenue of the Americas
New York, New York 10036
December 17, 2002

Assistant Commissioner For Patents
Washington, D.C. 20231-9999

Attn: Box Missing Parts

Sir:

COMMUNICATION IN RESPONSE TO NOVEMBER 21, 2002 NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION FILING DATE GRANTED

This Communication is submitted in response to the November 21, 2002 Notice to File Missing Parts of Nonprovisional Application – Filing Date Granted issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the November 21, 2002 Notice to File Missing Parts of Nonprovisional Application is due January 21, 2003. Therefore, this Response is being timely filed.

The Notice to File Missing Parts of Nonprovisional Application, a copy of which is attached hereto as **Exhibit A,** indicates that the oath or declaration is unsigned. In response, applicants submit as **Exhibit B** a signed Declaration and Power of Attorney pursuant to 37

Applicants: Kelli E. Smith and Richard L. Weinshank
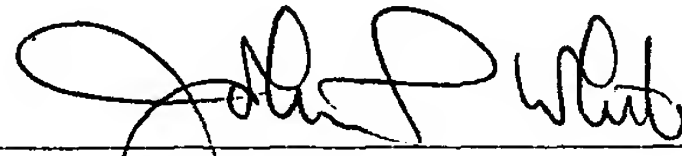U.S. Serial No.: 10/029,436
Filed: December 19, 2001
Page 2

C.F.R. §1.53(f). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undesigned attorney invites the Examiner to telephone the number provided below.
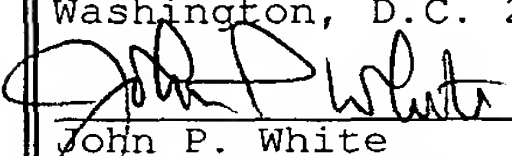
No fee, other than the enclosed fee of $65.00, is deemed necessary in connection with the filing of this Communication. If any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.
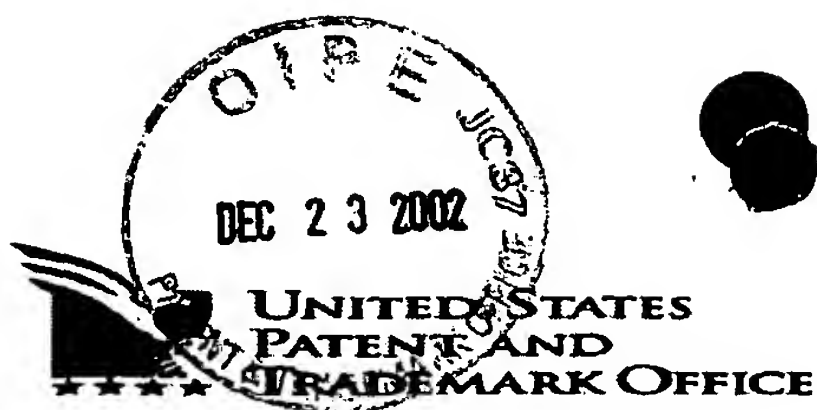
Respectfully submitted,

John P. White
Registration No. 28,678
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1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents Washington, D.C. 20231

John P. White   12/17/02
John P. White   Date
Reg. No. 28,678

H J

UNITED STATES PATENT AND TRADEMARK OFFICE

DEC 23 2002

Commissioner for Patents
Washington, DC 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/029,436	12/19/2001	Kelli E. Smith	55180-A/JPW/ADM/PL

Cooper & Dunham, LLP
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CONFIRMATION NO. 5263
FORMALITIES LETTER

OC000000009133117

Date Mailed: 11/21/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **$65** for a Small Entity

- $65 Late oath or declaration Surcharge.

A copy of this notice __MUST__ be returned with the reply.

M

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

12/26/2002 SZEWDIE1 00000026 10029436

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